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Larkspur, CO 80118-8712

April 28, 1995

To: Secretary, FCC
From: Lawrence F. Amann, K5TQN
Subject: RM-8626

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MAY 1 1995
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

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My qualifications to strongly protest the subject petition, RM-8626, submitted to the FCC by Fred Maia, W5YI are as follows:

I will be 85 years old this July, and have been a radio amateur for over 70 years. I have held the highest grades in the Commercial Radio Telegraph and Commercial Radio Telephone licenses. I now hold Amateur Radio Extra Class. In all fairness to Mr. Maia, I will direct relevant remarks to him.

First, let's put the horse before the cart. The ARRL is recognized in the United States as "the voice of Amateur Radio. And many nations of the world, struggling to maintain or obtain their Amateur Radio rights, turn to the ARRL, as Secretariat of the IARU, for guidance or help. And a lot of its help is obtained from information bulletins and W1AW code practice broadcasts.

The ARRL's "Vision" of tomorrow is outlined very effectively, in the April issue of QST, by David Sumner, ARRL Executive Vice President and Rick Palm ARRL Field Service Manager: "The American Radio Relay League is the principal representative of the Amateur Radio Service, serving members by protecting and enhancing spectrum access and providing a National Resource to the public." It seems to me that "protecting and enhancing spectrum access" would include the right to broadcast informationbulletins, even by others than W1AW. I would ask Fred Maia, would you protest his close friend sending a QST message relevant to his sudden heart attack, and suggestion for "get well cards, friend."

The above 2 paragraphs are certainly a testimonial as to the Purpose and

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Promise of the ARRL for the best interest of Amateur Radio. Fred, as I read and reread your subjectivity in your Petition RM-8626, I could see no such qualifications to speak as "the voice of Amateur Radio. In fact, I doubt if you could get the necessary respect to do so. Am I not right in thinking that this is not your first attempt to combat the ARRL? And I wonder if it will be the last.

Fred, you say that you are "personally distressed at the level of anger that exists on the HF bands." One need only to refer to the editorials from other radio magazines, and consequent feedback such as in 73 magazine, to equate the number you broadly describe as "anger that exists on the HF bands" as brainwashed.

You go on to say "the proliferation of those stations has caused chaos on the amateur community that has now reached crisis proportions." Including the nut, Baxter, K1MAN, the words "chaos" and "crisis" do seem to be exaggerated subjectivity. And since he seems to be outside the purview of the FCC, Amateur Radio is doing a little of its own band policing. A group including Bill Pasternack, Hap Holly, Wayne Greene and WO4TA, with beams and KW power have been keeping skeds on Baxter's favorite frequency, hours at a time on Sunday evenings, 3975. And the idea seems to be catching on. It just seems to me that "chaos" and "crisis" sound more like a congressional tirade rather than an honest plea from a good radio amateur concerned with what is best for Amateur Radio.

You also go on to say that code practice is now available on computer software, and information bulletins about Amateur Radio can be had on various computer on-line services. Do you imply that all entry level aspirants have the cash for such an outlay? I wonder, Fred if you are one of those who are "benefiting with financial compensation" using Amateur Radio as a business? In contrast, my colleague, Karl Lambert, KB4DCR has trained over 400 students to receive their amateur operating license. In addition, he has personally introduced Amateur Radio into 26 schools in central Florida. And all this was done, including training teachers to obtain their license, utilizing radio equipment donated by club members. And all, as Clinton B. DeSoto invokes in his book, 200 Meters and Down, "A great body of people with intelligence above average working together in one great art

with no thought of financial compensation cannot help but advance the art they love."

One last observation, in the ARRL Letter dated April 3, I found a summary of Mr Maia's soliloquy of doom or damn on "Malicious interference and illegal transgression on much needed frequency spectrum." On the other hand, I read in the April 15 ARRL Letter that a government study sees more ham bands. If all of this is a poker game, what hand will Amateur Radio be dealt?

In closing, I would be remiss if I did not apologize to the Secretary, FCC and Mr. Maia's lawyer for the length of this letter. These comments are respectfully submitted in the best interest of Amateur Radio, with no personal ax to grind. The enclosed Amateur Radio Code of Honor defines my attitude and my intent.

In the 1995 ARRL National Educational Workshop to be published this summer, Karl Lambert and I say this:

" First, let us say that our own interests are not in what we can get from Amateur Radio. We are not in pursuit of any such pleasures. We have had our share of the best in Amateur Radio, and now our remaining years are pay back time. Our logic is singular and perhaps somewhat controversial in our belief of what is most good for Amateur Radio, as well as our indepth definition of the Purpose and Promise of Amateur Radio. but we also encourage and defend all radio amateurs in their rights to pursue their "hobby" of many moods and modes."

While I am strongly against Mr. Maia's petition, RM-8626 I would suggest a compromise in modifying Section 97.3(a)(23) as he implies is necessary. This would include protecting the right of one-way broadcasts having merit but at the same time minimize the indiscriminate use of the right as implied by Mr. Maia.

Thank you gentlemen for whatever your consideration in this matter.

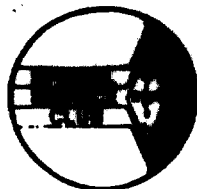
Copies to:

FCC
ARRL
Raymond A. Kowalski

73

Larry Amann

Larry Amann, K5TQN



THE LAKE MONROE AMATEUR RADIO SOCIETY, INC.



THE AMATEUR RADIO CODE OF HONOR

1. As an Amateur I will respect the rights, privileges, and dignity endowed upon all races, creeds and gender. And, in doing so, I will recognize that it is not a right but it is a privilege for all to operate Amateur Radio equipment in accordance with the authorization prescribed in the FCC Rules and Regulations.
2. As an Amateur I embrace the joint membership of our beloved fraternity-sorority. And, in doing so, I will support and protect our family of radio amateurs against all encroachments which could threaten our dedication to the encompassing purpose of sharing and caring for the good of all mankind without financial compensation.
3. As an Amateur I will be considerate. To the best of my ability I will never use the air in such a way as to lessen the pleasures or encroach upon the good taste of others.
4. As an Amateur I will be loyal. I will extend my loyalty, encouragement and support to my fellow radio amateurs, my local radio club and to the American Radio Relay League through which Amateur Radio is represented.
5. As an Amateur I will be progressive. I will endeavor to keep my Amateur Radio equipment abreast of the technological advances in Amateur Radio Communications and Amateur Radio Space Science.
6. As an Amateur I will be friendly, slow and patient sending when requested, giving friendly advice, counsel to the beginner, and kindly assistance and cooperation for the interest of others.
7. As an Amateur my interest in Amateur Radio will be balanced. I will never allow it to interfere with any of my duties I owe to my home, my job, my school and my community.
8. As an Amateur I will be patriotic. My knowledge of communications and my station will always be available for the service of my country and my community.

Passed out to all entry level
Amateur Radio classes.

Original Code written in passive
voice changed to active voice
for emphasis needed today.

The original Amateur's Code,
contained herein and added to
was written by Paul M. Segal,
W9EEA-1928. His words, items
3 through 8 are etched in the
history of his beloved Amateur
Radio.